

Amendment No. 1 to SB1264

Crowe
Signature of Sponsor

AMEND Senate Bill No. 1264

House Bill No. 559*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Ambulatory outpatient hospital clinic" means a clinic or physician office that is owned and operated by a hospital licensed under this title and that provides treatment to patients who are not admitted as inpatients to the hospital;

(2) "Certified medical assistant" means personnel with training to function in an assistive role to a licensed physician or licensed nurse in the provision of patient care activities in a facility used as an ambulatory outpatient hospital clinic as delegated by the physician or licensed nurse; and

(3) "Licensed nurse" means an individual engaged in the practice of professional nursing as defined in § 63-7-103 or an advanced practice registered nurse as defined in § 63-7-126.

(b) Physician assistants licensed under title 63, chapter 19 and medication aides certified under § 63-7-127 are not subject to the certification requirements or practice restrictions of this section.

(c) A hospital licensed under this title, may employ certified medical assistants to administer approved medications to the hospital's patients in an ambulatory outpatient hospital clinic as set forth in this section.

(d) When carrying out responsibilities under this section, a certified medical assistant shall wear a name tag visible to others that displays the designation "certified medical assistant".

(e) An individual employed as a certified medical assistant within an ambulatory outpatient hospital clinic must:

(1) Be at least eighteen (18) years of age;

(2) Have completed the twelfth grade or its equivalent, or have successfully passed the test for and received a general equivalency diploma; and

(3) Be certified by the following:

(A) American Medical Technologists (AMT);

(B) American Association of Medical Assistants (AAMA);

(C) National Center for Competency Testing (NCCT);

(D) National Healthcareer Association (NHA); or

(E) National Association for Health Professionals (NAHP).

(f) An ambulatory outpatient hospital clinic shall verify compliance with subsection (e) and shall keep records regarding compliance available for the board for licensing healthcare facilities.

(g) An ambulatory outpatient hospital clinic is responsible for training and verifying competence of certified medical assistants used under this section.

(h) Certified medical assistants shall not administer medications to hospital inpatients or patients in an emergency department.

(i)

(1)

(A) A certified medical assistant may administer approved, standardized dosage vaccines to the patients of an ambulatory outpatient hospital clinic that use certified medical assistants pursuant to this

section. A certified medical assistant shall administer other medications only pursuant to delegation by a licensed nurse or physician.

(B)

(i) A delegation of medication administration or other nursing tasks to a certified medical assistant from a licensed nurse shall be carried out in accordance with the rules for nursing delegation adopted by the board of nursing.

(ii) The board of nursing may promulgate rules related to the administration of vaccines and other tasks that may be delegated by a licensed nurse to certified medical assistants under this chapter.

(C)

(i) A delegation of medication administration or other tasks to a certified medical assistant from a physician must be carried out in accordance with the rules adopted by the board of medical examiners.

(ii) The board of medical examiners may promulgate rules related to the administration of vaccines and other tasks that may be delegated by a physician to certified medical assistants registered by the department under this chapter.

(D) A certified medical assistant may only administer vaccines after:

(i) An individual is assessed by a physician or licensed nurse; and

(ii) The physician or licensed nurse makes a determination that it is appropriate for the individual to receive the immunization administered by a certified medical assistant.

(2) In exercising the authority to administer medications pursuant to a physician's or licensed nurse's delegation, a certified medical assistant may administer only those medications that have been ordered by an authorized healthcare provider and are in single-dose, appropriately labelled, ready-to-administer packaging, including the following categories:

- (A) Intramuscular or subcutaneous medications;
- (B) Oral, sublingual, and buccal medication;
- (C) Topical creams and ointments;
- (D) Saline solutions for simple wound irrigation;
- (E) Eye drops;
- (F) Inhalation treatments, either metered hand-held inhalants or unit dose nebulizers;
- (G) Ear medications; or
- (H) Nasal medications.

(3) A certified medical assistant may engage in other patient care activities as delegated by a physician or licensed nurse, including, but not limited to, vital sign measurement, phlebotomy, simple dressing changes, collection of patient's medical history data, or preparation of patient care areas. A licensed nurse shall not delegate patient care activities that require nursing judgment in altering care delivery based on the needs of the individual. A physician shall not delegate patient care activities that constitutes the practice of medicine or requires diagnostic analysis.

(j) A physician or licensed nurse shall not delegate to a certified medical assistant the administration of:

- (1) Intravenous medications;
- (2) Blood or blood products;
- (3) Investigational drugs;

- (4) Chemotherapy drugs;
- (5) Drugs given through an implanted device;
- (6) Insulin;
- (7) Controlled substances;
- (8) Anesthetic agents;
- (9) Medications used for cosmetic procedures;
- (10) A medication requiring calculation of dosage;
- (11) Contrast media;
- (12) Allergy antigen agents; or
- (13) A medication requiring patient monitoring and assessment of response when a licensed nurse or physician is not immediately available to provide monitoring or assessment.

(k) This section does not apply to personnel employed by a physician performing duties in settings other than in an ambulatory outpatient hospital clinic.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.